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**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA**

SAN JOSE DIVISION

E-FILED - 7/13/06

**UNITED STATES OF AMERICA and
ANGELA PHILLIPS, Revenue Officer,**

Petitioners,

v.

ELAINE H. CHAN,

Respondent.

NO. C-06-0327-RMW-RS

**APPLICATION AND ORDER
OF DISMISSAL**

Petitioners United States of America and Angela Phillips hereby advise the Court that respondent Elaine H. Chan has complied with Internal Revenue Service summons and request that this action be dismissed pursuant to Rule 41(a) of the Federal Rules of Civil Procedure.

KEVIN V. RYAN
United States Attorney

/s/ David L. Denier
DAVID L. DENIER
Assistant United States Attorney
Tax Division

ORDER

Upon the request of the petitioners and pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, this action is hereby dismissed.

ORDERED this 13 day of July, 2006, at San Jose, California.

/S/ RONALD M. WHYTE
UNITED STATES DISTRICT JUDGE